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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,501	10/16/2001	Rycharde Jeffery Hawkes	1509-226	1484

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EXAMINER

JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/977,501	Applicant(s) HAWKES ET AL.	
	Examiner Jude J. Jean-Gilles	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to reply communication filed on 03/20/2006.

Response to Amendment

2. This action is responsive to the application filed on 10/16/2001 with a reply communication filed on 03/20/2006. Claims 1-18 have been cancelled. Claims 19-38 are pending. Claims 19-38 represent a method and apparatus for an "a Content Provider Entity for Communication Session". Reconsideration of the subject matter application in view of new prior art of reference of Pennock et al (hereinafter Pennock), U.S. Patent No. 6,807,562 B1 is addressed below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 19-38** are rejected under 35 U.S.C. 102(e) as being anticipated by Pennock.

Regarding claim 19: Pennock discloses an automaton for providing media content to media channels of a network communication session (column 2, lines 3-19; column 2, lines 45-60), the automaton comprising:
a manager system configured to:

join the automaton to an existing network communication session between an endpoint entity and a contact center responsive to receipt of an invitation to join the existing network communication session (column 12, lines 20-49), and

receive: (a) context data about the existing network communication session (column 8, lines 44-67) and
(b) channel information about one or more media channels of the existing network communication session, wherein the channel information includes media type carried by the media channels and channel connection details (column 10, lines 1-53);
a transport system configured to establish, based on the received channel information, one or more media channel connections from the automaton to a session transport mechanism associated with the existing network communication session (column 2, lines 19-44; column 12, lines 20-50);

a media content handler configured to deliver media content of a particular media type to the established one or more media channel connections based on the received channel information (column 2, lines 3-60; column 10, lines 1-53);

a delivery controller configured to control the selection and delivery of media content by the media content handler responsive to the received context data (column 17, lines 12-64).

Regarding claim 20: Pennock discloses an automaton as in claim 19, the manager system further configured to cause the automaton to leave the existing network communication session upon an other endpoint entity at the contact center joining the existing network communication session (column 16, lines 10-31).

Regarding claim 21: Pennock discloses an automaton as in claim 19, the manager system further configured to join the automaton to the existing network communication session if another endpoint entity at the contact center has not joined the existing network communication session (column 15, lines 57-67; column 16, lines 10-31).

Regarding claim 22: Pennock discloses an automaton as in claim 19, the manager system further configured to join the automaton to the existing network communication session if an other endpoint entity at the contact center and connected to the existing network communication session has left the existing network communication session (column 15, lines 57-67; column 16, lines 10-31).

Regarding claim 23: Pennock discloses an automaton as in claim 19, further comprising a content library providing media sources of different media type for use by the media content handler (column 76, lines 13-64).

Regarding claim 24: Pennock discloses an automaton as in claim 19, wherein the context data comprises an indication of a target subject, the delivery controller using the target subject indication to determine at least an initial content for delivery on at least one of the one or more media channel connections (column 2, lines 45-67).

Regarding claim 25: Pennock discloses an automaton as in claim 19, wherein the context data comprises the identity of a party at the endpoint entity joined to the existing network communication session, the delivery controller using the identity to query a database about the party, the delivery controller using the query results to

determine at least an initial content for delivery on at least one of the one or more media channel connections (column 10, lines 1-53; column 12, lines 13-67).

Regarding claim 26: Pennock discloses an automaton as in claim 19, the delivery controller further configured to cause media content to be simultaneously delivered across multiple media channel connections of the existing network communication session (column 2, lines 3-67).

Regarding claim 27: Pennock discloses an automaton as in claim 19, wherein the delivered media content is non-interactive with respect to the endpoint entity joined to the established communication session, and the delivery controller is further configured to periodically cause new content to be delivered on the one or more media channel connections (column 2, lines 3-67).

Regarding claim 28: Pennock discloses an automaton as in claim 19, wherein the delivered media content comprises active components enabling a party at the endpoint entity joined to the existing network communication session to provide input regarding future content to be delivered, the input being received by the automaton and used by the delivery controller to control subsequent media content delivered by the media content handler (column 2, lines 3-67).

Regarding claim 29: Pennock discloses in combination, an automaton as in claim 1 and a service system for setting up a network communication session with an associated transport mechanism allowing the exchange of data via multiple data transfer channels for different media types, between endpoint entities joined to the session; the service system, in setting up a network communication session, creating a

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service-session functional entity for controlling the joining of endpoint entities to the network communication session in accordance with a predetermined service behavior, and the service-session functional entity being responsible for joining the automaton to the network communication session as required by said service behavior, the joining of the automaton to the network communication session comprising sending of the context data and the channel information to the automaton(column 2, lines 3-67; column 12, lines 20-49).

Regarding claim 30: Pennock discloses a combination as in claim 29, wherein the service session functional entity is operative to join the automaton to an existing network communication session during a period when the endpoint entity awaits the joining of an other endpoint entity at the contact center corresponding (column 10, lines 1-53; column 12, lines 13-67).

Regarding claim 31: Pennock discloses a combination as in claim 30, wherein the automaton is automatically caused to leave the existing network communication session upon the other endpoint entity joining the session (column 10, lines 1-53; column 12, lines 13-67).

Regarding claim 32: Pennock discloses a combination as in claim 30, wherein upon the other endpoint entity joining the session, the automaton remains in the session until explicitly dismissed by the other endpoint entity (column 10, lines 1-53; column 12, lines 13-67).

Regarding claim 33: Pennock discloses a combination as in claim 29, further comprising a transcription entity joined to the session with the automaton to record the

media content delivered by the automaton, the transcription entity being controllable by the other endpoint entity to play back at least selected portions of the media content delivered by the automaton (column 14, lines 1-58).

Regarding claim 34: Pennock discloses a combination ms in claim 29, wherein the service-session functional entity comprises a session instance with generic behavior for adding and removing endpoint entities to the network communication session and for recording the endpoint entities currently joined to the network communication session, and an associated service instance with service-specific behavior determining when the session instance is to add and remove endpoint entities(column 2, lines 3-67; column 12, lines 20-49).

Regarding claim 35: Pennock discloses a combination as in claim 29, wherein the state of connection of the automaton to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the entity manager of the automaton and a corresponding leg controller of the service-session functional entity(column 2, lines 3-67; column 12, lines 20-49).

Regarding claim 36: Pennock discloses a method of providing media content to media channels of a network communication session, the method comprising:

establishing a media channel connection from an automaton to a session transport mechanism associated with an existing network communication session between an endpoint entity and a contact center responsive to receipt of an invitation to join the existing network communication session and receipt of channel information about one or more media channels of the existing network communication session, the

channel information including the media type carried by the one or more media channels and channel connection details (column 2, lines 3-67; column 12, lines 20-49);

providing an appropriate media content from the automaton to a corresponding media channel established by said establishing step responsive to receipt of context data about the existing network communication session and based on the channel information (column 2, lines 3-60; column 10, lines 1-53).

Regarding claim 37: Pennock discloses a computer-readable medium storing instructions which, when executed by a processor, causes the processor to perform the method of claim 36 (column 21, lines 24-46; column 22, lines 1-45).

Regarding claim 38: Pennock discloses a device for performing the method of claim 36 (column 21, lines 24-46; column 22, lines 1-45).

Removal of Allowance of claims 20-22, and 28-35

5. Allowable subject matter in claims 20- 22, and 28-35 from the previous office action have been removed because new prior art of record (Pennock), US. Patent No. 6,807,562 B1.

Conclusion

6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

Patent Examiner

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JJG 

June 02, 2006


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100